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Review of “Inhuman Conditions: On Cosmopolitanism and Human Rights”

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Book Review

Inhuman Conditions: On Cosmopolitanism and Human Rights, Pheng Cheah (Harvard University Press: Cambridge, Mass, 2004), 321 pages, Bibliography and Index, 4 tables, 3 photos, ISBN: 0-674-02394-3 paper, \$24.95.

In this recent book, Cheah considers the claim by proponents of cosmopolitan political theory that recent developments in capitalist globalization, and the institutional and collective responses to it, are empirical evidence in support of a developing cosmopolitan age. Cheah assesses this claim against the facts of globalization, against the tenuous connection of human rights institutions and discourses to their normative force, and against the empirical evidence for the damaging effect of global migration by the economically least advantaged. These three variables – the economic and institutional facts of globalization, the normative efficacy of human rights, and the migration of people from the margins of economic development to its global centres – serve as the empirical spine of what Cheah refers to as the “new cosmopolitanism.”

The book is divided into two major sections, the first of which explores the core components of competing theories of cosmopolitanism, taking Kant as the point of departure; the second explores the conception of human rights embraced in the “new cosmopolitanism” drawing out the central features of the abstract conception of the human which lies at its core. This book is not, however, an exercise in international relations theory, nor in public international policy and law. Rather, Cheah’s stated purpose is to explore cosmopolitanism and human rights as they are treated in the humanities, finding the humanities to be the best suited discipline to such a study – with the human and humanity as its focus – but finding also very little such treatment from this disciplinary perspective.

Cheah’s stated thesis, or central question, is whether and in what ways the international division of labour in contemporary capitalist globalization undermines cosmopolitan and human rights discourses. More concretely, he seems to be most concerned to draw on the empirical facts of the “new international division of labour” to expose the limitations, inadequacies, and questionable philosophical assumptions of cosmopolitan political theory, the moral and normative core of which is human rights theory. In this exploration, he astutely exposes the corrupting influences – in theory and practice, for these are inextricably linked, for Cheah – of the current form of economic globalization. Rather than provided evidence in support of cosmopolitan ideals of an evolving community of shared human interest and the development of the “global citizen,” Cheah finds evidence of the “corruption” of the very ideal of cosmopolitanism, and the paradoxical effect of human rights instruments on the globally marginalized.

Cheah assesses this new cosmopolitanism negatively on three scores: it fails to account for the decided continuing importance of the nation, and nationalism, as a mechanism of local and regional resistance to

capitalist globalization; it fails to accurately account for the normative force of human rights instruments, and their paradoxical relation to both the forces of globalization and those individuals and groups whose existence depends upon human rights instruments; and, it fails to understand the complex reality of migrants, especially those who move from the economically exploited and oppressed margins of globalization to the economically advantaged global centers. But, most importantly, Cheah rejects the claims of the “new cosmopolitanism,” and therewith its theoretical adequacy, for its failure to recognize the theoretical impediment manifest in its lingering ties to the “old cosmopolitanisms” of Kant and Marx.

This old cosmopolitanism is rightly replaced with a new, he argues, for the susceptibility of its philosophical grounding in universal rationalism to elide cultural and political imperialism, enabling the justification rather than the critique of political forces which oppress, exploit and marginalize to the advantage of European imperialism. The shared philosophical roots of enlightenment morality and enlightenment politics, which justified the exploitation of Asia, Africa and Southern Americas by Europe, are residual in the cosmopolitan ideals embraced by most western scholars. This enables and justifies the “new globalization” characteristic of the late 20th and early 21st Centuries. According to Cheah, so long as cosmopolitanism fails to address this philosophical root, it will fail as a theory of global politics and global civic development and public discourse. It will also fail to play its proper critical role in exposing the inhuman effects of the current form of globalization. As the new cosmopolitanism retains the justificatory appeal to universalizing reason, it retains the distain of the old cosmopolitanism for nationalism, and misunderstands the central role of the nation-state and nationalism as, in turn, the mechanism and the spirit of local resistance to globalization.

The remainder of this review addresses each of these three prongs of Cheah’s assessment of new cosmopolitanism, however, in reverse order, the reasons for which will become apparent – its failure to understand the complex reality of economic migrants, its failure to accurately account for the paradox of human rights in the current context of globalization, and its failure to recognize the importance of nationalism and the nation-state to peoples in the post-colonial South.

The first prong, which is actually Cheah’s last, is the empirical prong – cosmopolitanism’s failure to understand the complex reality of economic migrants. This would seem best placed as the first avenue of criticism in a book like this. Yet, he leaves this to the last. This relegation of the empirical analysis to the end is unfortunate, for this sort of study of more specific cases of the more typical condition of migrants in the new international division of labour would have helped the less theoretically astute reader grapple with the very heavy theoretical analysis of the first section. Indeed, throughout the first section of the book, Cheah refers, almost tangentially and casually, to the conditions of migrant workers, but does not bring them forward, does not allow them to make their case to proponents of cosmopolitanism who draw from their existence highly idealized conclusions about the promise for global citizenship.

Cheah rightly observes, a source of conflict which perceptive economists and non-ideological politicians saw coming, the devastating effect of globalization policies which free the flow of capital and production of goods but leave labour trapped within a quickly outmoded and enfeebled territorially bound nation-state. The failure to enable the free flow of labour to match the free flow of goods and finance, leaves workers vulnerable behind their borders, and leaves governments vulnerable to the ever present threat of capital and goods-production to move to the “greener pastures” of unregulated, unorganized, cheaper locations of equally trapped workers. The effect has been, contrary to globalization’s advocates in the popular media, a very uneven development of markets, exploited and exploitable global reserve armies of

workers, and dubious claims to a great equalizing of human beings around the globe. The effect has been greater inequality of peoples, greater vulnerability of communities and individuals, and less regulation of corporations, than had been promised. The worry, as Cheah sees it, is that in the humanities, we may be participating in this deceptive promise and may be blinding ourselves to these effects so long as we employ the inadequate lens of cosmopolitanism and human rights.

Unfortunately, Cheah argues, and I believe he is correct here, there is little else by way of an effective and normatively powerful tool to use to correct some of the grossest of these economic inequities and political wrongs than the current human rights instruments. Considering Cheah's second prong of analysis – cosmopolitanism's failure to accurately account for the paradox of human rights in the current context of globalization – we see how corrupting capitalist globalization has become. None are immune, on Cheah's analysis, from this corruption. Not the major governments of the North and their supranational regulatory agencies, which have been instrumental in the development of these human rights instruments. Not the governments of the post-colonial South, among which Cheah identifies China as perhaps the best exemplar, which abuse the very legitimate cultural relativist criticisms of human rights to elide their own human rights violations against populations internal to their borders and in so doing act against the very principle of cultural diversity to which they appeal in rejecting "western" human rights standards. Nor, finally, the international NGO's, which employ these instruments in defence of the human rights of marginalized, oppressed and exploited groups around the world, but which also rely heavily on funding from governments and agencies of the global North to do so.

Human rights, Cheah claims, operate within the nearly inescapable, though not invisible, context of global capitalism and its social product, capitalist globalization. What does this mean? Here, Cheah's analysis becomes particularly insightful and revealing. Human rights, as discourse and as pragmatic political device, cannot be divorced from the conditions which at once provide for their necessity and which construct the subject to best make use of them. We are not simply instantiations, Cheah argues, of some human essence or *Geist*, nor carriers of some rich notion of "human dignity" obvious to all who encounter it. Rather, we are beings both makers and made – we are at once made by the conditions in which we exist and makers of the conditions in which we exist. Human rights have arisen in response to the grossest ends of the conditions in which we all exist. Capitalist globalization, being the contemporary context for human beings, is also the context for human rights. Rights allow individuals and groups normative appeal to redress aspects of their world which are contrary to some sense of their flourishing – but what is the ontology of that sense? Not simply in some common humanity, some universal rational freedom, abstracted from the conditions of living human beings. As Cheah puts it, "what is at issue here is precisely the crafting of the human, how humanity and all its capacities are not primary, original, and self-originating, but product-effects generated by forces that precede and exceed the *anthropos*. These forces are the inhuman conditions of humanity" (10).

Cheah supports what is really a finely crafted theoretical critique of human rights with two different examples, one seemingly minor – though, which strikes me as having as much effect – one more sustained. The minor example is drawn from the circumstances too many indigenous peoples now find themselves in. Losing ancestral lands and the access to life-sustaining resources which accompany them, more and more indigenous people find themselves drawn ever more into the globalizing economic and political forces they wish to escape and from which they largely wish to be left alone. To protect their human rights, notably their right to exist and to have some degree of self-determination regarding that existence, they are brought into the international sphere of courts and tribunals, joining cause with other

similarly situated indigenous peoples and international NGOs. This paradox is what Cheah's analysis exposes – to seek protection from the forces of globalization, marginalized peoples must make use of the available human rights tools. But to do so effectively, they must remake themselves in the fashion of a “group” with an “ethnicity” distinct from others, with an “ancestry” unique and “indigenous”. Where such groups may never have had such self-conceptualizations, they must now in order to protect themselves. They must make themselves into the sorts of beings human rights instruments serve, but in doing so, they lose what they were trying to protect.

The second, more sustained example comes from the conditions of the “new international domestic worker.” These are people who migrate from the global margins, primarily the post-colonial South, to the centres of globalization to perform the domestic labour for affluent Northerners. What Cheah makes clear is that, far from representing the promise of a “global citizen”, at home in any country because possessing a sense of humanity which transcends narrow territoriality and nationalisms, these are highly vulnerable individuals from deeply exploited countries. They find themselves exploitable universally, vulnerable universally, but represented by nothing and no one. Distanced from their territorially bound nation-state homes, not recognized as civil rights bearing members of their host communities, and economically dependent on the continued satisfaction of their employers, many such new international domestic workers long merely to return home. It is in their homes, among their community, with their nation, that they find allegiance. It is here, also, that Cheah's case is strongest for the continued relevance of the nation-state and of a robust, oppositional, and liberatory nationalism to infuse it.

The first almost 2/3 of the book is devoted to a critical evaluation of cosmopolitanism – old and new – in the form of a review of its manifestation in the humanities, primarily in philosophy and in cultural studies. While each receives its own chapter, the analysis is similar and the end result is nearly identical. Philosophy, as represented singularly in Habermas's rendition of the global citizen and the transnational public sphere as found in the post-nation-state European experiment, quite unsurprisingly retains the universal rationalist assumptions of the old cosmopolitanism. The reader is left with the impression that nearly all of philosophy in its post-enlightenment contemporary form retains this assumption of the rational individual seeking to transcend either himself or nature, or both, save for Cheah's heavy reliance on Derrida in formulating an alternative basis for cosmopolitanism and human rights near the end of the book. Cultural studies fairs little better. The reader is left with the sense that cultural studies, once the academic locus of theorizing “from the margins” in a post-colonial age of enlightened relativism and particularism, has reverted to either a kind of anthropologized idealism about the human condition in contemporary globalization or a nihilistic rejection not only of globalization but also of the spirit of post-colonial nationalism which gave rise and momentum to the discipline itself. It is this implied value of the nation state and of nationalism in the post-colonial South to which Cheah makes repeated reference, but which he does not develop fully, which is most interesting from both a theoretical and practical point of view.

I must admit, as a fairly committed cosmopolitan myself, I was most intrigued to find how Cheah would walk the very fine line he had been drawing between the competing and seemingly contradictory values of cosmopolitanism and nationalism. The value of cosmopolitanism lies in its focus on the universal, on the promise of peaceful co-existence under conditions of economic and political equality (or at least conditions of mutual non-exploitation and respect). The value of nationalism and of the nation-state, according to Cheah, and according to a variety of political theorists from the post-colonial South, to whom Cheah makes unfortunately little reference, is that it can serve as an effective means for righting

economic wrongs, redistributing economic and social goods to the benefit of the globally exploited, to serve as a mechanism for resistance to the uneven development globalization manifests, and to serve as a bulwark against the exploitative effects of global capital movement in the absence of an equivalent global labour movement. Rather than develop this normative effect of the nation-state, the closest Cheah gets to showing how it might work is to reference two literary works, fictional accounts.

There is ample evidence in the world for the value of what Cheah repeatedly refers to in a rather overblown metaphorical and rhetorical flourish as the “force field of globalization.”, found primarily in the repeated demand of nation-states to respond to the democratic call of its people to resist. In India, Arundathi Roy tells of the people’s efforts to use their governments to resist the building of dams, the curtailment of water from village streams and reservoirs, to the benefit of multinational electricity producers. Also in India, Vandana Shiva tells of the effort of the people to resist the importation of genetically modified, Round-Up ready, crop seeds and the exportation of indigenous seed stocks to multinational agribusiness. In the islands of the South Pacific, we are told of first peoples seeking government redress under international anti-global warming initiatives and international indigenous rights instruments, to allow them to participate in the anti-global warming debate, shaping local public policy and regional standards. We hear of peoples in the Southern American states who seek to use their governments to resist the multinational corporations who seek to control water and other natural resources. We hear of the local NGO's and human rights organizations petitioning the Brazilian government on behalf of the Yanumami to restrain the deforestation of the Amazon by both multinational and Brazilian logging industries.

Why, in the face of these on-going examples of peoples in the post-colonial South appealing to their governments – their nation-states – and forming in the process a resistant sense of public identity, community, and meaning of belonging – nationalism – does Cheah find it necessary to appeal to fiction? Here is where Cheah could have made the most significant contribution to the critique of the theoretical adequacy of cosmopolitanism. But here, he fails to take his analysis far enough. Pointing the way is useful, but not in itself unique, as others are doing that and more. Cheah’s most significant positive contribution could have come in the explication and theorization of these “new nationalisms” and of the rise of the resistant nation-state – which doesn’t seek theoretical and justificatory cover for its own human rights failings, but seeks to redress on behalf of its people the grievous wrongs of globalization. Much more seemed promised here, and much more could have been done. Perhaps in a second book?

Overall, this book is well worth the read. It is at times too theoretically dense for any but the well-initiated to benefit. But, it is also at most other times filled with astute and perceptive analysis, persuasive argumentation, and practically relevant insight. Read in conjunction with some of the other very good books and articles written in the past few years by philosophers who articulate a robust cosmopolitanism and human rights theory (among them Ackerman, Pogge, Tan, Cohen, Benhabib, Gould), Cheah’s book provides an important complementary and corrective lens.

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